

Message Text

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PAGE 01 MANAMA 00939 121633Z

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C O N F I D E N T I I K L MANAMA 0939

E.O. 11652: GDS

TAGS : ELAB, PINT, BA

SUBJECT : BAHRAIN'S NEW LABOR LAW

REF : MANAMA A-34 OF SEPTEMBER 18, 1974

1. DURING NOVEMBER 11 CONVERSATION WITH BAHRAIN PETROLEUM COMPANY (BAPCO) REPRESENTATIVES, BAHRAINI MINISTER OF LABOR DISCUSSED PROVISIONS OF NEW LABOR LAW WHICH THE GOB INTENDS TO PUT BEFORE THE NATIONAL ASSEMBLY. ACCORDING TO BAPCO REP THE MINISTER GAVE THE FOLLOWING AS MAJOR PROVISIONS OF NEW LAW:

A) UNIONS WILL BE LEGAL; HOWEVER, ONLY COMPANIES WITH OVER 100 BAHRAINI WORKERS WILL BE ABLE TO FORM UNIONS; EMPLOYEES WILL DECIDE BY VOTE WHETHER THEY WISH TO FORM UNIONS.

B) UNIONS WILL BE "IN HOUSE"; THERE WILL BE NO FEDERATION WITH OTHER UNIONS IN BAHRAIN OR INTERNATIONAL LABOR ORGANIZATIONS. (COMMENT: THIS PROVISION DESIGNED APPARENTLY TO ATTEMPT KEEP PRESENT LEADERSHIP OF UNION MOVEMENT, LARGELY INTELLECTUALS RATHER THAN WORKERS, FROM HAVING ANY BASE FROM WHICH TO PARTICIPATE LEGALLY IN TRADE UNION DEVELOPMENT. END COMMENT).

C) ONLY EMPLOYEES OVER 20 WILL BE ALLOWED TO JOIN; UNION OFFICERS MUST BE OVER 30.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANAMA 00939 121633Z

D) GOVERNMENT WORKERS WILL NOT BE ALLOWED TO FORM

UNIONS.

E) EXPATRIATE WORKERS WILL NOT BE COVERED BY THIS LAW.

F) STRIKES WILL BE ILLEGAL.

G) ARBITRATION WILL BE COMPULSARY, AND AFTER DECISION BY SPECIAL JUDICIAL BODY TO BE FORMED FOR THIS PURPOSE, RESULTS WILL BE BINDING.

H) LABOR CONTRACTORS WILL NOT BE ALLOWED.

2. ACTING DIRECTOR OF LABOR KHALIFA KHALFAN TOLD EMBOFF NOVEMBER 12 THAT GOVERNMENT WILL PROBABLY PLACE BILL BEFORE NATIONAL ASSEMBLY SPEAKER AT NEXT REGULAR NATIONAL ASSEMBLY SESSION NOVEMBER 17, ALTHOUGH SECTIONS ON LABOR RELATIONS AND TRADE UNIONS NOT YET COMPLETELY DRAFTED BY CABINET. HE NOTED GOVERNMENT'S HURRY TO SUBMIT BILL WAS THE RESULT OF A DRAFT LABOR LAW SUBMITTED NOVEMBER 10 BY A GROUP OF LEFTIST DEPUTIES. (UNDER NATIONAL ASSEMBLY PROCEDURES, A BILL SUBMITTED BY THE GOVERNMENT HAS PRIORITY FOR DISCUSSION WHEN IT COMES OUT OF COMMITTEE. BILLS SUBMITTED BY NA MEMBERS MUST GO TO LEGAL COMMITTEE BEFORE GOING TO WORKING COMMITTEE; BILLS SUBMITTED BY GOVERNMENT GO DIRECTLY TO WORKING COMMITTEE. GOVERNMENT LABOR LAW, THEREFORE, WILL BE FIRST TO GO TO DISCUSSION.) HE EXPECTS LENGTHY TIME IN COMMITTEE, BUT FEELS BILL HAS A GOOD CHANCE OF PASSING, ESPECIALLY IF GOVERNMENT FIRST WINS ASSEMBLY APPROVAL OF EVEN MORE CONTROVERSIAL STATE SECURITY DECREE.

3. COMMENT: GOVERNMENT REPORTEDLY WILL JUSTIFY THE DRAFT BILL AS AN "INTERITYMEASURE", HOLDING OUT PROSPECTS OF MORE MEANINGFUL TRADE UNION DEVELOPMENT IN NOT TOO DISTANT FUTURE. THIS TACTIC MIGHT WORK, PARTICULARLY IF REPORTEDLY EXTENSIVE NON-TRADE UNION SECTION OF BILL CONTAINS NUMEROUS WELCOME PROVISIONS, BUT WE ARE FRANKLY SKEPTICAL GOVERNMENT WILL COME OUT OF ASSEMBLY WITHOUT MOVING TO GIVE SOMETHING MORE TO SUPPORTERS OF LABOR MOVEMENT. A DECADE OR SO AGO GOB MIGHT HAVE GOTTEN BY WITH THIS HARD NOSED SKIMPY RESPONSE TO LABOR DEMANDS. SINCE THEN PRESSURE FOR MODERN TRADE UNIONS HAS BEEN BUILDING, AND SEVERAL KEY MODERATES IN NATIONAL ASSEMBLY

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANAMA 00939 121633Z

ARE COMMITTED TO THIS CAUSE. GOB'S EFFORT TO GET BY THIS PROBLEM ON THE CHEAP SEEMS TOO LITTLE AND TOO LATE. TWINAM

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